

EXHIBIT 119

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF MASSACHUSETTS

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4 STUDENTS FOR FAIR ADMISSIONS, INC.,
5 Plaintiff,

6 v. No. 1:14-cv-14176
7 PRESIDENT AND FELLOWS OF
8 HARVARD COLLEGE
9 (HARVARD CORPORATION),
10 Defendant.
11 _____

12
13 VOLUME II

14 HIGHLY CONFIDENTIAL- ATTORNEYS' EYES ONLY
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16 DEPOSITION of MARLYN McGRATH

17 Boston, Massachusetts

18 August 1, 2017
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22 Reported by:

23 Dana Welch, CSR, RPR, CRR, CRC

24 Job #127107
25

1 HIGHLY CONFIDENTIAL - ATTORNEYS' EYES ONLY - McGRATH

2 Q. I mean, sitting here today, do you think
3 that Asian Americans are any less qualified than
4 other applicants with respect to their
5 extracurricular scores?

6 MS. ELLSWORTH: Objection.

7 A. I have no reason to think that.

8 Q. Did you have any reason to think that back
9 in 2013?

10 MS. ELLSWORTH: Objection.

11 A. No.

12 Q. Do you know whether, in fact, the data
13 suggests that Asian Americans receive slightly
14 better extracurricular ratings than other
15 applicants?

16 MS. ELLSWORTH: Objection.

17 A. Do you mind rephrasing that so I know
18 where the Asian American part fits in --

19 Q. Yes. Do you know in fact whether --

20 A. -- or say it again? You don't have to
21 rephrase it.

22 Q. Do you know whether in 2013, Harvard's
23 admissions database would show that Asian Americans
24 received better extracurricular ratings, on
25 average, than other applicants?

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2 MS. ELLSWORTH: Objection.

3 A. No, I don't know that.

4 Q. You don't know one way or the other?

5 A. No.

6 Q. Same with personal. In your experience,
7 do Asian Americans as a group lack attractive
8 personal characteristics compared to other
9 applicants?

10 MS. ELLSWORTH: Objection.

11 A. No, I don't think so.

12 Q. Can you think of any reason why somebody's
13 race would affect their personal rating?

14 MS. ELLSWORTH: Objection.

15 A. No, not in our system.

16 Q. The personal ratings -- if I recall
17 correctly from your prior testimony, the personal
18 rating is intended to just kind of be an analysis
19 as how likeable is this person, does this person
20 seem like a good person to be around?

21 MS. ELLSWORTH: Objection.

22 A. That's part of it.

23 Q. What else is included?

24 A. Depends on the case. And the source for
25 that judgment, which I'll get to, is from several

1 HIGHLY CONFIDENTIAL - ATTORNEYS' EYES ONLY - McGRATH
2 this document.

3 Do you recognize this document?

4 A. No, I don't.

5 Q. Okay. Do you recognize the correspondence
6 to which it's referring?

7 A. I don't remember it specifically.

8 Q. Do you recall discussing a letter from a
9 high school student named [REDACTED] about Asian
10 American discrimination in the Harvard admissions
11 process?

12 A. I don't remember this one. I don't.

13 Q. Did you review this letter in preparation
14 for your deposition today?

15 MS. ELLSWORTH: Objection.

16 A. No, I didn't.

17 Q. Okay. Do you recall receiving a lot of
18 letters complaining about or inquiring about
19 whether or not Harvard's admissions process
20 discriminates against Asian Americans?

21 MS. ELLSWORTH: Objection.

22 A. We have a lot of correspondence from
23 people who complain about, usually about specific
24 decisions, and we also have some correspondence
25 about this or discriminating against African

1 CERTIFICATE

2 Commonwealth of Massachusetts

3 Suffolk, ss.

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5 I, Dana Welch, Registered Professional
6 Reporter, Certified Realtime Reporter and Notary
7 Public in and for the Commonwealth of
8 Massachusetts, do hereby certify that MARLYN
9 McGRATH, the witness whose deposition is
10 hereinbefore set forth, was duly sworn by me and
11 that such deposition is a true record of the
12 testimony given by the witness.

13 I further certify that I am neither related
14 to nor employed by any of the parties in or counsel
15 to this action, nor am I financially interested in
16 the outcome of this action.

17 In witness whereof, I have hereunto set my
18 hand and seal this 11th day of August, 2017.

19
20 _____
Dana Welch

21 Notary Public

My commission expires:

22 October 6, 2017
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